IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.121 OF 2006
IN
WRIT PETITION NO.2123 OF 2005

Smt.Shanta Navinchandra Shah & ors. Appellants
vs.
State of Maharashtra & ors. Respondents

Mr.Pravin Samdani, Senior Counsel with Mr.Ashok Purohit i/b.M/s.Zohair & Co. for the appellants.

Mr.L.T.Satelkar, Assistant Government Pleader for the respondent no.1.

Mr.Vinod Mahadik for the respondent no.2.

Mr.J.Reis with Mr.R.N.Kachare for the respondent nos. 3 and 4.

Mr.P.K.Shroff with Mr.Subodh Joshi i/b.M/s.Parimal Shroff & Associates for the proposed respondents.

CORAM : R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED : 3rd March 2006

P.C.

After having heard the learned senior counsel for the appellants, we are satisfied that the impugned order does not call for any interference. There is a serious dispute about ownership and this aspect could not have been gone into in writ jurisdiction. The learned Single Judge has already given liberty to the appellants (petitioners therein) to pursue appropriate civil remedy as may be advised and available in law.

2. No interference is called for in the impugned order.

3. Appeal is dismissed in limine.

(R. M. LODHA, J.)

(ANOOP V. MOHTA, J.)